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BEYER WEAVER & THOMAS LLP			STIMPAK, JOHNNA	
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			3623	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/550,706

Applicant(s)

TAM ET AL.

Examiner

Johnna R. Stimpak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21, 23-34 and 37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21, 23-34 and 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/18/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The following is a final office action upon examination of application number 09/550,706. Claims 1-21, 23-34 and 37 are pending and have been examined on the merits discussed below.

#### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-21, 23-34 and 37 have been considered but are moot in view of the new ground(s) of rejection. In light of the newly rejected claims, examiner has submitted a new grounds of rejection.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-21, 23-34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Using Microsoft Outlook 98", by Gordon Padwick and Bill Ray hereinafter referred to as "Outlook".

As per **claim 1**, Outlook teaches (a) receiving a request for appointment availability of the a second party during a time period ( - page 440 – using Outlook, users can send a meeting request to one person or several people); (b) determining available appointment times within the time period for the second party through use of a central appointments server having access to a

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central appointment database that stores calendars for various second parties, including a first calendar for the second party ( - page 448 – Outlook lets you see other peoples' schedules so you can plan a meeting when those people are likely to be available); (c) transmitting the available appointment times to the user ( - page 448 – upon selecting a person's name, a chart is returned summarizing the activities of each person who is selected); (d) receiving a selected appointment time from the available appointment times ( - page 449 – a feature called autopick automatically finds the first time when all attendees are available for the duration defined); and (e) setting the on-line appointment between the user and the second party at the selected appointment time ( - page 443 – the appointment time is set), wherein said method is implemented by another entity, with the another entity being independent of both the second party and the user, ( - the method is implemented by Outlook), wherein the user can schedule the appointment through any computer as long as the computer can access the Internet with a browser ( - page xvii – Outlook is internet based – inherently it can be accessed through any computer connected to the Internet), wherein the method further comprising checking another calendar of the second party to determine if there is a conflict between the first calendar and the another calendar due to the selected appointment time, and wherein the another calendar is maintained by the second party ( - page 449 – autopick automatically finds the first time when all attendees are available by checking calendars of all who are invited to schedule the meeting or appointment).

As per **claim 2**, Outlook teaches a method as recited in claim 1, wherein the time period is a day (ref A. – page 447 – upon opening the calendar information view, the user picks the date on which the appointment or meeting is to be scheduled).

As per **claim 3**, Outlook teaches a method as recited in claim 1, wherein said receiving said receiving (a) of the request for appointment availability includes a time duration for the on-line appointment ( – page 449 – you can set a time for the meeting by entering start and stop times – this is sent to the invited party), and wherein said determining (b) of the available appointment times are those times during the time period that the second party is available for at least the time duration ( – page 447 – prior to selecting the time duration, each invitees schedule is shown so the meeting can be planned when everyone is likely to be available).

As per **claim 4**, Outlook teaches a method as recited in claim 1, wherein said setting (e) comprises: (e1) transmitting verification information for the on-line appointment to the user ( – page 442 – the meeting request message is sent to the invited party for verification); (e2) receiving a verification of the verification information for the on-line appointment; ( – page 442 – the invited party has the option to choose Accept, Tentative or Decline as a response to the message) and (e3) subsequently setting the on-line appointment between the user and the second party at the selected appointment time when the verification has been received ( – page 443 – once the invited party selects Tentative or Accept, the meeting is automatically marked on your calendar).

As per **claim 5**, Outlook teaches a method as recited in claim 1, wherein said setting (e) of the on-line appointment sets a requested online appointment, and wherein said method further comprises: (f) subsequently receiving a confirmation for the requested on-line appointment ( – page 442 – the invited party has the option to choose Accept, Tentative or Decline as a response to the message).

As per **claim 6**, Outlook teaches a method as recited in claim 5, wherein said method further comprises: (g) updating the requested on-line appointment to a confirmed on-line appointment after the confirmation has been received ( – page 442 – the invited party has the option to choose Accept, Tentative or Decline as a response to the message).

As per **claim 7**, Outlook teaches a method as recited in claim 5, wherein the time period is a predetermined day ( – page 441 – meeting request includes selecting the date of the requested meeting), and wherein the network is the Internet ( – page xvii – Outlook is internet based).

As per **claim 8**, Outlook teaches a method as recited in claim 1, wherein said method further comprises: (f) subsequently rendering the selected appointment time for the second party unavailable ( – page 443 upon selecting Accept, page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office).

In claims 1-8, regarding the service provider, Outlook, does not explicitly teach the invited party being a service provider. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer

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model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 9**, teaches a method for providing an on-line appointment over a network, said method comprising: (a) transmitting to a user, an electronic calendar pertaining to the user ( – page 440 – the users calendar can be displayed in any view); (b) transmitting a list of available second parties ( – page 448 – a list of available attendees is transmitted to the user, fig. 27.10); (c) receiving a request for appointment availability of a selected one of the available second parties ( – page 450 – user can choose from the list of available people to send an invitation for the meeting); (d) determining available time slots for the selected one of the available second parties ( – page 448, fig. 27.10 – based on the schedules shown, the user can select a time when the invited party is available); (e) transmitting the available time slots to the user ( – page 448, fig. 27.10 – once the invited party is selected, the party's schedules is made available to the user; based on the schedules shown, the user can select a time when the invited party is available); (f) receiving a time slot selection from the available time slots to establish an appointment with the selected one of the available second parties ( – page 448, fig. 27.10 – once the invited party is selected, the party's schedules is made available to the user; based on the schedules shown, the user can select a time when the invited party is available); wherein said method further includes requesting the user to enter information regarding the user for the appointment after

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the user and the selected one of the available second parties have established the appointment at the selected time slot ( - page 450, fig 27.11 – once the time is selected, the user sends the invited party the invitation for the appointment wherein the user can enter information regarding the appointment), and wherein the method is implemented by another entity, with the another entity being independent of both the service providers and the user ( - the method is implemented by Outlook).

As per **claim 10**, Outlook teaches a method as recited in claim 9, wherein the request for appointment availability includes a time period ( - page 449 – the meeting time can be set by entering start and end times), and wherein said determining (d) determines the available time slots for the time period ( - page 449 – a feature called autopick automatically finds the time when all attendees are available for the duration defined).

As per **claim 11**, Outlook teaches a method as recited in claim 10, wherein the time period is a day (ref A. – page 447 – upon opening the calendar information view, the user picks the date on which the appointment or meeting is to be scheduled).

Regarding claims 9-11, Outlook, does not explicitly teach the invited party being a service provider or at least one piece of the information requested from the user depends on the industry selected. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to



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inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 12**, it is the computer readable medium including computer code for performing the method of claim 1. Therefore, since Outlook is a computer program, which inherently contains computer code, the same rejections as applied to claim 1 also apply to claim 12.

As per **claim 13**, it is the computer readable medium including computer code for performing the method of claim 9. Therefore, since Outlook is a computer program, which inherently contains computer code, the same rejections as applied to claim 9 also apply to claim 13.

As per **claim 14**, teaches a method for doing business over a global computer network, said method comprising: (a) registering second parties over the global computer network to identify at least one of offered services, appointment hours, contact information for the registered service providers (page 420 – each user or second party registers their appointments so there calendar shows available appointment hours); (b)

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providing an online calendar for each of the registered second party (page 420 – each user or second party has their own calendar for scheduling appointments); (c) registering individuals over the global computer network (pages 97-106 – each user is registered by creating a profile). (d) providing an online calendar for each of the registered individuals (page 420 – each user or second party has their own calendar for scheduling appointments); and (e) setting appointments with certain of the registered second parties when the appointments have been requested by any of the registered individuals, and for each appointment being set, said setting (e) at least places appointment indications on the online calendars of the associated one of the registered service providers and the associated one of the individuals ( – page 443 upon selecting Accept when the appointment request is received, - page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office and entered onto the calendar), wherein at least some information regarding the service providers are stored in an online directory, wherein said method further comprises providing a search facility that the registered individuals can search the online directory for registered service providers to set appointments with ( – page 441 – each user or second party is stored in a directory so the user can search for the person to make an appointment with), wherein said method is implemented by a third-party entity, with the third party entity being independent of the registered service providers and the registered individuals ( - the method is implemented by Outlook), and wherein the individuals can schedule the appointments through any computer as long as the computer can access the Internet with

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a browser ( – page xvii – Outlook is Internet based – inherently it can be accessed through any computer connected to the Internet).

As per **claim 15**, Outlook does not explicitly teach (d) providing the on-line calendars for each of the registered individuals without cost to the registered individuals (inherent to Outlook is that once the Outlook software is purchased and installed, each user can use Outlook without cost).

As per **claim 16**, Outlook does not explicitly teach (b) providing the on-line calendars for each of the registered users for a fee. However, it may be the case that each user must purchase the Outlook software to have installed on their computer, therefore, each user would inherently be charged a fee.

As per **claim 17**, Outlook teaches the registered second parties are provided an online directory ( – page 441 – each user or second party is stored in a directory so the user can search for the person to make an appointment with), and wherein during said setting (e) of the appointments, the registered individuals are able to locate appropriate second parties using the online directory ( – page 441 – each user or second party is stored in a directory so the user can search for the person to make an appointment with).

As per **claim 18**, Outlook teaches the website provides on-line calendars, and wherein as on-line appointments are made, the on-line calendars of the users are automatically updated ( – page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office and entered onto the calendar).

As per **claim 19**, Outlook teaches the online appointments have a duration ( – page 449 – the meeting time can be set by entering start and end times), and wherein the duration of the online appointments is determined by a type of appointment (inherently the time duration is set based on the content of the appointment).

In claims 14-19, regarding the service provider, Outlook, does not explicitly teach the invited party being a service provider. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 20**, Outlook teaches an appointment server coupled to the network ( – Outlook is an Internet based appointment system therefore inherently there is an appointment server to facilitate the scheduling of appointments); an appointment database coupled to said appointment server, wherein said appointment server and said appointment database together provide storage and access for users and provide assistance to users to request appointments with

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one or more second parties and provide assistance to users to request appointments with one or more second parties ( – each users contact information and calendars are stored within Outlook so that the calendars may be accessed for appointment scheduling) and thereafter permit confirmation, by the one or more second parties of the appointments that have been requested with the one or more second parties ( – page 443 upon selecting Accept when the appointment request is received, - page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office and entered onto each calendar), wherein said system further comprises a synchronization application that provides for automated review of the appointments that have been requested to determine whether the requested appointments conflict with entries in a local software calendar of at least one second parties, and automatically synchronizes a calendar of the at least one second parties in the appointment database with the local software calendar of the second parties ( - page 449 – a feature called autopick compares calendars of the user and all invited parties and automatically finds the time when all attendees are available for the duration defined), where the appointment database also provides a calendar for the second parties ( – 440 – each user has a calendar), wherein said system is managed by another entity, with the another entity being independent of both the second parties and the users, and wherein the users can schedule appointments through any computer as long as the computer can access the Internet with a browser ( - the method is implemented by Outlook – page xvii – Outlook is Internet based – inherently it can be accessed through any computer connected to the Internet).

As per **claim 21**, Outlook teaches said appointment server also provides reminders for confirmed appointments ( – page 423 – a drop down list allows the user to set a reminder a specified time prior to the appointment).

Claim 22 cancelled.

As per **claim 23**, Outlook does not explicitly teach the users are consumers and wherein the online appointment system further comprises a business directory of service providers. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties wherein the user searches for the meeting or appointment attendees and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 24**, Outlook teaches said appointment database further stores user information for consumers and service providers to reduce subsequent data entry ( – page 426 – each user can enter recurring events so as to reduce re-entering data).

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Regarding service providers in claims 20, 21, 23, 24 and 37, Outlook, does not explicitly teach the invited party being a service provider. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 25**, Outlook teaches (a) registering as a user of an on-line appointment system, said registering providing a user name, contact information, and appointment availability information for the user, the appointment availability information indicating days and times during which the user is generally available to receive appointments ( – pages 420 – 423 – the use can enter contact information, appointment availability information, also enters times wherein the user has scheduled events or meetings); (b) maintaining online calendars for the registered users, the online calendars including scheduled appointments or events for the respective registered user ( – pages – 420 –423 – each user has a calendar storing scheduled appointments or events);

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and (c) scheduling appointments between users, said scheduling (c) including at least (c1) receiving an appointment request from a first registered user requesting an appointment with a second registered user ( - page 440 – using Outlook, users can send a meeting request to one person or several people); and (c2) selecting an appointment date and time for the appointment in accordance with the appointment availability information for the second registered user and not conflicting with any other previously scheduled appointments or events in the on-line calendar of the second registered user (page 449 – user can select start and end times for the appointment or use autopick to automatically find a time when all attendees are available), wherein at least some information of a plurality of the registered users are stored in an online directory, wherein the method further comprises providing a search facility that a registered user can search the online directory for another registered user to schedule appointment with ( - page 441 – each user or second party is stored in a directory so the user can search for the person to make an appointment with), wherein the registered users can schedule the appointments through any computer as long as the computer can access the Internet with a browser, and wherein the method is implemented by another entity, with the another entity being independent of the registered users ( - page xvii – Outlook is Internet based – inherently it can be accessed through any computer connected to the Internet).

As per **claim 26**, Outlook teaches scheduling (c) further comprises: (c3) scheduling the appointment for the first registered user and the second registered user at the selected appointment date and time ( - page 443 upon selecting Accept when the appointment request is



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received, - page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office and entered onto each calendar).

As per **claim 27**, Outlook teaches said scheduling (c) further comprises: (c3) tentatively scheduling the appointment for the first registered user and the second registered user at the selected appointment date and time ( – page 442 – when the first user sends an appointment request to the second user, the second user has the option of responding with “tentative”); and (c4) subsequently confirming the scheduled appointment by the second registered user (page 442 – second user can also then choose accept to confirm the appointment will be scheduled).

As per **claim 28**, teaches said scheduling (c) further comprises: (c3) tentatively scheduling the appointment for the first registered user and the second registered user at the selected appointment date and time ( – page 442 – when the first user sends an appointment request to the second user, the second user has the option of responding with “tentative”); (c4) providing the scheduled appointment as a tentative appointment of the first registered user and the second registered user ( – page 442 – when the first user sends an appointment request to the second user, the second user has the option of responding with “tentative”); (c5) subsequently confirming the scheduled appointment by the second registered user (page 442 – second user can also then choose accept to confirm the appointment will be scheduled); and (c6) thereafter updating the scheduled appointment from the tentative appointment to a confirmed appointment of the first registered user and the second registered user (page 442 – second user can also then choose accept to confirm the appointment will be scheduled).

In claims 25-28, regarding the service provider, Outlook, does not explicitly teach the invited party being a service provider. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 29**, Outlook teaches registering service providers for online appointments over the global computer network, said registering providing appointment availability information for the registered service providers ( – pages 420 – 423 – the use can enter contact information, appointment availability information, also enters times wherein the user has scheduled events or meetings); and scheduling on-line appointments between users and the service providers over the global computer network based on the availability information ( - page 440 – using Outlook, users can send a meeting request to one person or several people), wherein the users can schedule the appointments through any computer as long as the computer can access the Internet with a browser, wherein the

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method is implemented by another entity, with the another entity being independent of the registered service providers and the users (ref. A – page xvii – Outlook is Internet based – inherently it can be accessed through any computer connected to the Internet), and wherein the method further comprises: providing an online directory of service providers; providing a search facility that users can search for a particular service provider by searching through the online directory; and once the particular service provider is found by a user using the search facility, said scheduling of an online appointment is initiated between the user and the particular service provider over the global computer network ( – page 441 – each user or second party is stored in a directory so the user can search for the person to make an appointment with).

As per **claim 30**, Outlook teaches said registering of the second parties over the global computer network identifies at least one of offered services, available appointment times, contact information for the registered service providers (page 420 – each user or second party registers their appointments so there calendar shows available appointment hours).

As per **claim 31**, teaches registering users for online calendars over the global computer network (page 420 – each user or second party registers their appointments so there calendar shows available appointment hours (Outlook uses a network so that each user can interact with another users calendar).

As per **claim 32**, Outlook teaches providing an online calendar for each of the registered users and the registered service providers ( – pages – 420 –423 – each user has a calendar storing scheduled appointments or events).

As per **claim 33**, Outlook teaches scheduling the on-line appointments includes placing appointment indications on the on-line calendars of the associated ones of the registered service providers and the users ( – page 443 upon selecting Accept when the appointment request is received, - page 449 – the appointment time will be blocked in dark blue indicating a busy period; or magenta indicating out of the office and entered onto each calendar).

As per **claim 34**, Outlook teaches providing of the on-line calendars and said scheduling of the on-line appointments are without cost to the users (inherent to Outlook is that once the Outlook software is purchased and installed, each user can use Outlook without cost).and wherein at least one of the registering, and providing of the online calendars and scheduling of the online appointments is fee-based to the service providers (Outlook does not explicitly teach (b) providing the on-line calendars for each of the registered users for a fee. However, it may be the case that each user must purchase the Outlook software to have installed on their computer, therefore, each user would inherently be charged a fee.

Regarding service providers in claims 29-34, Outlook, does not explicitly teach the invited party being a service provider. However, since the functionality of Outlook is used for the purpose of scheduling appointments or meetings between two parties and gives the user the option to enter information regarding the content of the appointment, it would have been obvious to one of ordinary skill in the art to enter specific content regarding the appointment in order to inform the second party about what the appointment is directed to and it would also be obvious to use Outlook in the context of requesting a service. For example, the user might be requesting computer service on his or her workstation. The user would find the appropriate contact to set the appointment, then enter comments regarding problems with the computer or the computer

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model so the second party would be informed of what the appointment is regarding. The motivation of using Outlook in the context of providing service would allow the user to more efficiently find the available service provider, relay information regarding the appointment and set the appointment.

As per **claim 35**, cancelled

As per **claim 36**, cancelled

As per **claim 37**, Outlook teaches an online appointment scheduling system wherein the synchronization application automatically synchronizes the calendar of the one of the service providers in the appointment database with the local software calendar ( - page 449 – a feature called autopick compares calendars of the user and all invited parties and automatically finds the time when all attendees are available for the duration defined).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,970,466 – Detjen et al – graphical computer system and method for appointment scheduling

“The ABCs of Outlook 97”, by Claudia Willen, Chapters 8, 9 and 10

“Mastering Office 97”, Chapter 35 – Managing Your Time with Outlook

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Stimpak whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS  
6/9/05



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